

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Newport News Division**

**CHESAPEAKE BANK,  
Plaintiff,**

**v.**

**CIVIL ACTION NO. 4:14cv66**

**STUART D. BERGER,  
DEBORAH D. BERGER,  
BERGER PROPERTIES OF OHIO, LLC,  
BERGER PROPERTIES OF FLORIDA, LLC,  
BERGER PROPERTIES OF TEXAS, LLC,  
BERGER PROPERTIES OF MARYLAND, LLC,  
S & D UNLIMITED OF TEXAS, LLC,  
S & D UNLIMITED, LLC,  
THE UNLIMITED GROUP, INC.,  
and  
THE LAW OFFICES OF STUART BERGER, PLLC,  
Defendants.**


***ORDER***

Before the Court is Defense Counsel's Consented Motion to Withdraw as Attorney (ECF No. 109). Counsel filed a Brief in Support (ECF No. 110), and submitted a Declaration Under Penalty of Perjury. Plaintiff and Defendants have consented to Counsel's Motion. Counsel moves to withdraw pursuant to Rule 1.16(b)(4) of the Virginia Rules of Professional Conduct because Defendants have failed to fulfill certain obligations relating to the payment of fees. The Court has considered the Rules and the Motion to withdraw, and finds an insufficient basis to grant the Motion. By granting the Motion, the Court would be left with unrepresented Defendants in this complex and ongoing litigation. Counsel shall continue to work with Defendants to attempt to fulfill the obligations Counsel and Defendants have to each other. The Motion is hereby **DENIED**.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel and parties of record.

**IT IS SO ORDERED.**

Norfolk, Virginia  
June 15, 2015

  
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Raymond A. Jackson  
United States District Judge